

FILED

APR 19 2005

**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Tracy L. Mainguy, Bar No. 176928
Operating Engineers Local Union No. 3 Trust Funds- Multi-Services
1620 South Loop Road
Alameda, CA 94502
(510) 748-7474

Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO HEADQUARTERS)**

GIL CROTHWAITE, JOHN BONILLA, in
their respective capacities as Trustees of the
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR
NORTHERN CALIFORNIA; PENSION
TRUST FUND FOR OPERATING
ENGINEERS; PENSIONED OPERATING
ENGINEERS HEALTH AND WELFARE
FUND; OPERATING ENGINEERS
ANNUITY TRUST FUND; OPERATING
ENGINEERS AND PARTICIPATING
EMPLOYERS PRE-APPRENTICESHIP;
APPRENTICE AND JOURNEYMAN
AFFIRMATIVE ACTION TRAINING
FUND; OPERATING ENGINEERS
VACATION AND HOLIDAY PLAN;
CONTRACT ADMINISTRATION FUND;
OPERATING ENGINEERS MARKET
PRESERVATION FUND; OPERATING
ENGINEERS INDUSTRY STABILIZATION
TRUST FUND; BUSINESS
DEVELOPMENT TRUST FUND; and
HEAVY AND HIGHWAY COMMITTEE,

Plaintiffs,

vs.

CLEVELAND WRECKING COMPANY, a
California corporation,

Defendant.

Case No.: c 05-0588 MHP

**NOTICE OF VOLUNTARY DISMISSAL;
ORDER THEREON**

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NOTICE OF VOLUNTARY DISMISSAL; ORDER THEREON;
Case No. C 05-0588 MHP

1 NOTICE IS HEREBY GIVEN THAT PURSUANT to Federal Rule of Civil Procedure
2 41(a), Plaintiffs voluntarily dismiss the above-captioned action, and request the Court to enter an
3 order in conformity with their voluntary dismissal of the matter.

4 Dated this 15th day of April of 2005

5 OPERATING ENGINEERS LOCAL UNION
6 NO. 3 TRUST FUNDS – MULTI-SERVICES

7 By: Tracy L. Mainguy
8 TRACY L. MAINGUY
9 ATTORNEY FOR PLAINTIFFS

10 **ORDER**

11 Based upon the above and pursuant to Federal Rule Of Civil Procedure 41(a), this matter
12 is dismissed.

13 Dated: April 18, 2005

14 MARTIN HALL PATEL
15 HON. UNITED STATES DISTRICT JUDGE
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